

29 | the Board of Governors to make available to the
 30 | Department of Education all data within the State
 31 | University Database System which is to be integrated
 32 | into the K-20 data warehouse; requiring the
 33 | Commissioner of Education to have access to certain
 34 | data for the added purpose of providing data to
 35 | organizations and certain authorized representatives;
 36 | requiring all public educational institutions to
 37 | annually provide data from the prior year to the K-20
 38 | data warehouse in a format based on data elements
 39 | identified by the commissioner; requiring colleges and
 40 | universities eligible to participate in the William L.
 41 | Boyd, IV, Florida Resident Access Grant Program to
 42 | report current data from the prior year for each
 43 | student who receives state funds in a format
 44 | prescribed by the Department of Education; providing
 45 | reporting requirements; requiring these colleges and
 46 | universities to annually report the data to the
 47 | department by a specified date; requiring the
 48 | commissioner to collaborate with the Department of
 49 | Economic Opportunity to develop procedures for the
 50 | ability to tie student-level data to student and
 51 | workforce outcome data contained in the Wage Record
 52 | Interchange System; requiring the commissioner to
 53 | improve and streamline by a specified date access to
 54 | data maintained by the K-20 data warehouse by creating
 55 | and fully implementing a web-based interface and a
 56 | self-service, restricted access component of the K-20

57 | data warehouse called the "Research Engine"; providing
58 | requirements for the Research Engine; providing
59 | requirements for a written agreement to access the
60 | Research Engine; requiring the adoption of rules and
61 | procedures; requiring the Department of Education to
62 | share education records of students which may contain
63 | students' personally identifiable information with
64 | organizations and authorized representatives pursuant
65 | to the studies and audit and evaluation exceptions
66 | under the Family Educational Rights and Privacy Act;
67 | amending s. 1008.34, F.S.; providing that performance
68 | data for students enrolled at collocated schools must
69 | be assigned to the all schools at that location for
70 | inclusion in that school's grade; requiring a school
71 | that meets or exceeds the minimum sample size of 10 to
72 | receive a school grade; providing that the student
73 | performance data for students attending exceptional
74 | student education center schools will not be included
75 | in the home school's grade; clarifying that
76 | achievement scores and learning gains for hospital or
77 | homebound students will be assigned to their home
78 | school only if the student was enrolled at the home
79 | school during the October and February FTE surveys;
80 | amending s. 1008.341, F.S., requiring that report
81 | cards required by s. 1008.34(5) include alternative
82 | schools and their school improvement rating; requiring
83 | the department to report identified data on
84 | alternative schools; requiring alternative schools to

85 | report to parents their student's progress toward
 86 | meeting high school graduation requirements; defining
 87 | exceptional student education center schools as
 88 | schools that only serves students with significant
 89 | cognitive disabilities; requiring the department to
 90 | monitor districts to ensure that there is no increase
 91 | in restrictive placement of students with
 92 | disabilities; requiring an alternative school's school
 93 | improvement rating to include the achievement scores
 94 | on statewide assessments, including retakes; requiring
 95 | an alternative school that tests at least 80% of its
 96 | students to receive a school improvement rating;
 97 | prohibiting an alternative school that tests less than
 98 | 90% of its students to earn a rating higher than
 99 | "Maintaining"; amending 1008.385, F.S.; requiring the
 100 | department to develop criteria for the issuance and
 101 | revocation of master school identification numbers;
 102 | providing an effective date.

103 |
 104 | Be It Enacted by the Legislature of the State of Florida:
 105 |

106 | Section 1. Paragraph (b) of subsection (3) of section
 107 | 1002.22, Florida Statutes, is amended to read:

108 | 1002.22 Education records and reports of K-12 students;
 109 | rights of parents and students; notification; penalty.—

110 | (3) DUTIES AND RESPONSIBILITIES.—The State Board of
 111 | Education shall:

112 | (b) Monitor the FERPA and notify the Legislature of any
 113 | significant change to the requirements of the FERPA or other

114 major changes in federal law which may impact this section or s.
 115 1008.31.

116 Section 2. Subsection (1) of section 1004.015,
 117 Florida Statutes, is amended, and paragraph (f) is added to
 118 subsection (3) of that section, to read:

119 1004.015 Higher Education Coordinating Council.—

120 (1) The Higher Education Coordinating Council is created
 121 for the purposes of identifying unmet needs; ~~and~~ facilitating
 122 solutions to disputes regarding the creation of new degree
 123 programs and the establishment of new institutes, campuses, or
 124 centers; and facilitating solutions to data issues identified by
 125 the Articulation Coordinating Committee pursuant to s. 1007.01
 126 to improve the K-20 education performance accountability system.

127 (3) The council shall serve as an advisory board to the
 128 Legislature, the State Board of Education, and the Board of
 129 Governors. Recommendations of the council shall be consistent
 130 with the following guiding principles:

131 (f) To promote adoption by the members of the council a common
 132 set of data elements identified by the National Center for
 133 Education Statistics to support the effective exchange of data
 134 within and across states.

135 Section 3. Paragraph (i) of subsection (1) of section
 136 1005.22, Florida Statutes, is amended to read:

137 1005.22 Powers and duties of commission.—

138 (1) The commission shall:

139 (i) Serve as a central agency for collecting and distributing
 140 current information regarding institutions licensed by the
 141 commission. The commission shall annually collect, and all
 142 institutions licensed by the commission shall annually report,

143 student-level data from the prior year for each student who
 144 receives state funds, in a format prescribed by the Department
 145 of Education. At a minimum, data from the prior year must ~~shall~~
 146 ~~be reported annually and~~ include retention rates, transfer
 147 rates, completion rates, graduation rates, employment and
 148 placement rates, and earnings of graduates. By December 31,
 149 2013, the commission shall report the data for the 2012-2013
 150 academic year to the Department of Education. By December 31 of
 151 each year thereafter, the commission shall report the data to
 152 the department.

153 Section 4. Subsection (3) of section 1007.01, Florida
 154 Statutes, is amended to read:

155 1007.01 Articulation; legislative intent; purpose; role of
 156 the State Board of Education and the Board of Governors;
 157 Articulation Coordinating Committee.—

158 (3) The Commissioner of Education, in consultation with the
 159 Chancellor of the State University System, shall establish the
 160 Articulation Coordinating Committee which shall make
 161 recommendations related to statewide articulation policies and
 162 issues regarding access, quality, and reporting of data
 163 maintained by the K-20 data warehouse established pursuant to
 164 ss. 1001.10 and 1008.31, to the Higher Education Coordination
 165 Council, the State Board of Education, and the Board of
 166 Governors. The committee shall consist of two members each
 167 representing the State University System, the Florida College
 168 System, public career and technical education, public K-12
 169 education, and nonpublic education and one member representing
 170 students. The chair shall be elected from the membership. The
 171 committee shall:

172 (a) Monitor the alignment between the exit requirements of
 173 one education system and the admissions requirements of another
 174 education system into which students typically transfer and make
 175 recommendations for improvement.

176 (b) Propose guidelines for interinstitutional agreements
 177 between and among public schools, career and technical education
 178 centers, Florida College System institutions, state
 179 universities, and nonpublic postsecondary institutions.

180 (c) Annually recommend dual enrollment course and high
 181 school subject area equivalencies for approval by the State
 182 Board of Education and the Board of Governors.

183 (d) Annually review the statewide articulation agreement
 184 pursuant to s. 1007.23 and make recommendations for revisions.

185 (e) Annually review the statewide course numbering system,
 186 the levels of courses, and the application of transfer credit
 187 requirements among public and nonpublic institutions
 188 participating in the statewide course numbering system and
 189 identify instances of student transfer and admissions
 190 difficulties.

191 (f) Annually publish a list of courses that meet common
 192 general education and common degree program prerequisite
 193 requirements at public postsecondary institutions identified
 194 pursuant to s. 1007.25.

195 (g) Foster timely collection and reporting of statewide
 196 education data ~~Examine statewide data regarding articulation to~~
 197 ~~identify issues and make recommendations to improve articulation~~
 198 ~~throughout~~ the K-20 education performance accountability system
 199 by:-

200 1. Facilitating timely reporting of data by all educational
 201 delivery systems to the K-20 data warehouse established pursuant

202 to ss. 1001.10 and 1008.31.

203 2. Facilitating timely reporting of data by the K-20 data
 204 warehouse to organizations and authorized representatives
 205 pursuant to s. 1008.31.

206 3. Identifying data issues including, but not limited to,
 207 data quality and accessibility.

208 (h) Recommend roles and responsibilities of public education
 209 entities in interfacing with the single, statewide computer-
 210 assisted student advising system established pursuant to s.
 211 1006.73.

212 Section 5. Paragraph (f) is added to subsection (1)
 213 of section 1008.31, Florida Statutes, subsection (3) is amended,
 214 present subsection (4) is redesignated as subsection (5), and a
 215 new subsection (4) is added to that section, to read:

216 1008.31 Florida's K-20 education performance accountability
 217 system; legislative intent; mission, goals, and systemwide
 218 measures; data quality improvements.—

219 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
 220 that:

221 (f) The Commissioner of Education interpret the Family
 222 Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g,
 223 in the least restrictive manner possible to allow data linkage
 224 across all educational delivery systems and to provide to
 225 organizations and authorized representatives pursuant to
 226 subsection (4) access to data maintained by the K-20 data
 227 warehouse in a manner consistent with ss. 1002.22, 1002.221, and
 228 1006.52 and FERPA.

229 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
 230 data required to implement education performance accountability
 231 measures in state and federal law, the commissioner ~~of Education~~

232 shall initiate and maintain strategies to improve data quality
 233 and timeliness. The Board of Governors shall make available to
 234 the department all data within the State University Database
 235 System to ~~collected from state universities shall, as determined~~
 236 ~~by the commissioner,~~ be integrated into the K-20 data warehouse.
 237 The commissioner shall have unlimited access to such data ~~solely~~
 238 for the purposes of conducting studies, reporting annual and
 239 longitudinal student outcomes, ~~and~~ improving college readiness
 240 and articulation, and providing data to organizations and
 241 authorized representatives pursuant to subsection (4). All
 242 public educational institutions shall annually provide data from
 243 the prior year to the K-20 data warehouse in a format based on
 244 data elements identified ~~specified~~ by the commissioner.

245 (a) School districts and public postsecondary educational
 246 institutions shall maintain information systems that will
 247 provide the State Board of Education, the Board of Governors of
 248 the State University System, and the Legislature with
 249 information and reports necessary to address the specifications
 250 of the accountability system. The level of comprehensiveness and
 251 quality must ~~shall~~ be no less than that which was available as
 252 of June 30, 2001.

253 (b) Colleges and universities eligible to participate in
 254 the William L. Boyd, IV, Florida Resident Access Grant Program
 255 shall annually report student-level data from the prior year for
 256 each student who receives state funds in a format prescribed by
 257 the Department of Education. At a minimum, data from the prior
 258 year must ~~shall be reported annually to the department and~~
 259 include retention rates, transfer rates, completion rates,
 260 graduation rates, employment and placement rates, and earnings
 261 of graduates. By December 31, 2013, the colleges and

262 universities described in this paragraph shall report the data
 263 for the 2012-2013 academic year to the department. By December
 264 31 of each year thereafter, the colleges and universities
 265 described in this paragraph shall report the data to the
 266 department.

267 (c) The Commissioner of Education shall determine the
 268 standards for the required data, monitor data quality, and
 269 measure improvements. The commissioner shall report annually to
 270 the State Board of Education, the Board of Governors of the
 271 State University System, the President of the Senate, and the
 272 Speaker of the House of Representatives data quality indicators
 273 and ratings for all school districts and public postsecondary
 274 educational institutions.

275 (d) The commissioner shall continuously monitor and review
 276 the collection of paperwork, data, and reports by school
 277 districts and complete an annual review of such collection by ~~no~~
 278 ~~later than~~ June 1 of each year. The annual review must include
 279 recommendations for consolidating paperwork, data, and reports,
 280 wherever feasible, in order to reduce the burdens on school
 281 districts.

282 (e) By July 1 of each year, the commissioner shall prepare
 283 a report assisting the school districts in eliminating or
 284 consolidating paperwork, data, and reports by providing
 285 suggestions, technical assistance, and guidance.

286 (f) Before establishing any new reporting or data
 287 collection requirements, the commissioner ~~of Education~~ shall use
 288 ~~utilize~~ existing data being collected to reduce duplication and
 289 minimize paperwork.

290 (g) The commissioner shall collaborate with the executive
 291 director of the Department of Economic Opportunity to develop

292 procedures for the ability to tie student-level data to student
 293 and workforce outcome data contained in the Wage Record
 294 Interchange System.

295 (h) By June 30, 2014, the commissioner shall improve and
 296 streamline access to data maintained by the K-20 data warehouse
 297 by creating and fully implementing:

298 1. A web-based interface for parents, students, teachers,
 299 principals, local educational agency leaders, community members,
 300 researchers, policymakers, and other constituents which is
 301 engaging, informative, and customer-friendly.

302 a. The web-based interface must provide a single location
 303 for public access to aggregated data from the K-20 data
 304 warehouse which do not contain personally identifiable
 305 information or any other information that is confidential
 306 pursuant to applicable law.

307 b. Personally identifiable information from education
 308 records of students, or any other information that is
 309 confidential pursuant to applicable law, must be redacted or
 310 aggregated, or the confidentiality otherwise protected by de-
 311 identification, anonymization, or any combination thereof.

312 2. A self-service, restricted access component of the K-20
 313 data warehouse, called the "Research Engine," which is:

314 a. Restricted to organizations and authorized
 315 representatives pursuant to subsection (4). The commissioner
 316 shall create a website for organizations and authorized
 317 representatives to submit data requests. The website shall
 318 generate an automated acknowledgement of each data request. Each
 319 acknowledgement of a data request must include a username and
 320 password to view the order and status of completion of the data
 321 request and a link to the directory of data elements which

322 provides a detailed description of each data element. Within 90
 323 days after acknowledging each data request, the department shall
 324 provide to organizations or authorized representatives technical
 325 assistance regarding the written agreement required under sub-
 326 subparagraph d. However, organizations and authorized
 327 representatives may execute the written agreement with the
 328 department at any time after submitting a data request. Data
 329 requests must be completed within 90 days after the written
 330 agreement is executed, unless the written agreement specifies
 331 otherwise.

332 b. Capable of providing access to education records of
 333 students which may contain students' personally identifiable
 334 information in the K-20 data warehouse.

335 c. Accessible at the department's headquarters or by other
 336 secure means as agreed upon in writing by the parties.

337 d. Accessible after an organization or an authorized
 338 representative executes a written agreement with the
 339 commissioner. The written agreement must include, but need not
 340 be limited to:

341 (I) Identification of the purpose, scope, and duration of
 342 the activity with sufficient specificity to make clear that the
 343 activity falls within permissible uses authorized by FERPA and
 344 does not further a commercial, trade, or profit interest.

345 (II) Identification of the data elements necessary to
 346 complete a study, an audit, or an evaluation. The department
 347 shall provide assistance to organizations and authorized
 348 representatives regarding selection of data elements to fulfill
 349 data requests. Requests for additional data by an organization
 350 or an authorized representative may be made by amending the
 351 written agreement. The deadline for fulfilling a data request

352 may be adjusted accordingly.

353 (III) Identification of the FERPA exception relied upon to
 354 obtain education records of students which may contain students'
 355 personally identifiable information.

356 (IV) Requirements regarding procedures for securing data,
 357 including, but not limited to, a data security plan. The
 358 Department of Education shall reserve the right to conduct
 359 security audits or reviews as necessary.

360 (V) Requirements limiting the use of education records of
 361 students which contain students' personally identifiable
 362 information to meet only the purpose stated in the written
 363 agreement.

364 (VI) Requirements establishing disciplinary policies for
 365 organizations and authorized representatives which violate FERPA
 366 or the written agreement.

367 (VII) Prohibitions regarding access to or use of education
 368 records of students which contain students' personally
 369 identifiable information obtained pursuant to the written
 370 agreement by anyone not authorized to have such access or use by
 371 the department.

372 (VIII) Requirements regarding destruction of all personally
 373 identifiable information from education records of students
 374 which are received pursuant to the written agreement and
 375 specification of when the information must be destroyed.

376 (IX) Requirements regarding the assessment of liquidated
 377 damages for unauthorized disclosure of education records of
 378 students which contain students' personally identifiable
 379 information or for violation of terms and conditions of the
 380 written agreement.

381 (X) Identification of deliverables to be provided by the

382 organization or authorized representative. The deliverables must
 383 include, but are not limited to, as appropriate: a copy of the
 384 final study, audit, or evaluation; or if no study, audit, or
 385 evaluation is completed, a report identifying such with a copy
 386 of unfinished research; a copy of reports, publications, papers,
 387 theses, or similar documents; and certification by the
 388 organization or authorized representative stating the final
 389 status of deliverables and confirming compliance with all
 390 provisions of the written agreement. The deliverables shall be
 391 provided to the department within 1 year after the date of
 392 execution of the written agreement, unless the written agreement
 393 specifies otherwise. The Commissioner of Education may assess
 394 liquidated damages specified in the written agreement if all
 395 deliverables are not timely provided to the Department of
 396 Education.

397 (XI) Requirements regarding maintaining the confidentiality
 398 of any information that is exempt from s. 119.071(1) and s.
 399 24(a), Art. I of the State Constitution, or that is otherwise
 400 made confidential by state or federal law.

401 (XII) Requirements regarding a service charge identified in
 402 sub-subparagraph e.

403
 404 The Department of Education shall develop and the State Board of
 405 Education shall adopt rules regarding the written agreement.

406 e. Funded by creating and implementing a pricing structure
 407 that is self-sustainable with the goal that the service charge
 408 for use of the Research Engine recovers costs to fulfill a data
 409 request. The commissioner may waive or reduce the service charge
 410 for fulfilling a data request. Funds collected from the service
 411 charge shall be deposited into the Operating Trust Fund. The

412 department shall develop and the State Board of Education shall
 413 adopt rules regarding the service charge.

414 f. Linked to a list of organizations and authorized
 415 representatives that obtain data from the Research Engine on the
 416 web-based interface in subparagraph 1. The list must include,
 417 but need not be limited to, the date of receipt of each data
 418 request, response time to address each data request, and current
 419 status of each data request. The department shall continually
 420 update the list and maintain a copy of reports prepared and
 421 submitted by the organizations and authorized representatives.

422
 423 The department shall adopt procedures to implement the web-based
 424 interface and the Research Engine established pursuant to this
 425 subsection.

426 (4) ACCESS TO THE K-20 DATA WAREHOUSE.—Pursuant to the
 427 studies exception under FERPA, and the federal regulations
 428 issued pursuant thereto, specifically, including, but not
 429 limited to, conducting studies for, or on behalf of, educational
 430 agencies and institutions as provided in 34 C.F.R. 99.31(a)(6),
 431 shall be given access to data maintained by the K-20 data
 432 warehouse in a manner consistent with ss. 1002.22, 1002.221, and
 433 1006.52 and FERPA. Pursuant to the audit or evaluation exception
 434 under FERPA, specifically including, but not limited to,
 435 authorized representatives conducting an audit or an evaluation
 436 of a Federal- or state-supported education program as provided
 437 in 34 C.F.R. 99.31(a)(3), shall be given access to the data
 438 maintained by the K-20 data warehouse in a manner consistent
 439 with ss. 1002.22, 1002.221, and 1006.52 and FERPA.

440 (a) Requests by organizations or authorized representatives
 441 for access to education records of students which may contain

442 students' personally identifiable information, with the
 443 exception of requests from the Executive Office of the Governor,
 444 the Florida Legislature, the Florida Auditor General, and the
 445 Office of Program Policy Analysis and Government Accountability,
 446 shall be submitted through the Research Engine established
 447 pursuant to subparagraph (3)(h)2. Access to the Research Engine
 448 is not conditioned upon or limited to studies, audits, or
 449 evaluations that support the research agenda, interests, or
 450 priorities of the State Board of Education, the commissioner, or
 451 the department.

452 (b) Authorized representatives include, but are not limited
 453 to, the Executive Office of the Governor, the Florida
 454 Legislature, the Florida Auditor General, the Office of Program
 455 Policy Analysis and Government Accountability, the Florida
 456 district school boards, Florida College System institutions, and
 457 Florida state universities.

458 (c) Requests for data from the Executive Office of the Governor,
 459 the Florida Legislature, the Florida Auditor General, and the
 460 Office of Program Policy Analysis and Government Accountability,
 461 shall be given a priority over other data requests and shall be
 462 provided free of charge.

463 Section 6. Section 1008.34, Florida Statutes, is amended
 464 to read:

465 1008.34 School grading system; school report cards;
 466 district grade.—

467 (1) ANNUAL REPORTS.—The Commissioner of Education shall
 468 prepare annual reports of the results of the statewide
 469 assessment program which describe student achievement in the
 470 state, each district, and each school. The commissioner shall

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471 prescribe the design and content of these reports, which must
472 include descriptions of the performance of all schools
473 participating in the assessment program and all of their major
474 student populations as determined by the commissioner. The
475 report must also include the percent of students performing at
476 or above grade level and making ~~a year's~~ learning gains ~~growth~~
477 ~~in a year's time~~ in reading and mathematics. The provisions of
478 s. 1002.22 pertaining to student records apply to this section.

479 (2) SCHOOL GRADES.—The annual report shall identify
480 schools as having one of the following grades, defined according
481 to rules of the State Board of Education:

- 482 (a) "A," schools making excellent progress.
483 (b) "B," schools making above average progress.
484 (c) "C," schools making satisfactory progress.
485 (d) "D," schools making less than satisfactory progress.
486 (e) "F," schools failing to make adequate progress.

487 Each school that earns a grade of "A" or improves at least two
488 letter grades shall have greater authority over the allocation
489 of the school's total budget generated from the FEFP, state
490 categoricals, lottery funds, grants, and local funds, as
491 specified in state board rule. The rule must provide that the
492 increased budget authority shall remain in effect until the
493 school's grade declines.

494 (3) COLOCATED SCHOOLS. - A colocated school is a school
495 with, its own unique master school identification number, that
496 provides for the education of each of its enrolled students, and
497 operates at the same facility as another school that has its own
498 unique master school identification number and that provides for

499 the education of each of its enrolled students. If more than one
 500 school operates at the same facility and one of the schools does
 501 not earn a school grade or a school improvement rating, then the
 502 student performance data of all schools must be aggregated to
 503 develop a school grade that will be assigned to all schools at
 504 that facility.

505 (34) DESIGNATION OF SCHOOL GRADES.—

506 (a) Beginning with the 2013-2014 school year, each ~~Each~~
 507 school that has students who are tested and included in the
 508 school grading system shall receive a school grade if the number
 509 of its students tested on statewide assessments pursuant to s.
 510 1008.22 meets or exceeds the minimum sample size of ten, except
 511 as follows:

512 ~~1. A school shall not receive a school grade if the number~~
 513 ~~of its students tested and included in the school grading system~~
 514 ~~is less than the minimum sample size necessary, based on~~
 515 ~~accepted professional practice, for statistical reliability and~~
 516 ~~prevention of the unlawful release of personally identifiable~~
 517 ~~student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

518 12. An alternative school may choose to receive a school
 519 grade under this section or a school improvement rating under s.
 520 1008.341. For charter schools that meet the definition of an
 521 alternative school pursuant to State Board of Education rule,
 522 the decision to receive a school grade is the decision of the
 523 charter school governing board.

524 23. A school that serves any combination of students in
 525 kindergarten through grade 3 which does not receive a school
 526 grade because its students are not tested and included in the

527 school grading system shall receive the school grade designation
 528 of a K-3 feeder pattern school identified by the Department of
 529 Education and verified by the school district. A school feeder
 530 pattern exists if at least 60 percent of the students in the
 531 school serving a combination of students in kindergarten through
 532 grade 3 are scheduled to be assigned to the graded school.

533 34. If a colocated school does not earn a school grade or
 534 school improvement rating for its students' performance then the
 535 student performance data of all schools operating at the same
 536 facility must be aggregated to develop a school grade that will
 537 be assigned to all schools at that location.

538 (b)1. A school's grade shall be based on a combination of:

539 a. Student achievement scores, including achievement as
 540 measured by FCAT assessments under s. 1008.22(3)(c)1.,
 541 statewide, standardized end-of-course assessments under s.
 542 1008.22(3)(c)2.a. and b., and achievement scores for students
 543 seeking a special diploma.

544 b. Student learning gains in reading and mathematics as
 545 measured by FCAT and statewide, standardized end-of-course
 546 assessments, as described in s. 1008.22(3)(c)1. and 2.a.,
 547 including learning gains for students seeking a special diploma,
 548 as measured by an alternate assessment.

549 c. Improvement of the lowest 25th percentile of students
 550 in the school in reading and mathematics on the FCAT or end-of-
 551 course assessments described in s. 1008.22(3)(c)2.a., unless
 552 these students are exhibiting satisfactory performance.

553 2. Beginning with the 2011-2012 school year, for schools
 554 comprised of middle school grades 6 through 8 or grades 7 and 8,

555 the school's grade shall include the performance and
 556 participation of its students enrolled in high school level
 557 courses with end-of-course assessments administered under s.
 558 1008.22(3)(c)2.a. Performance and participation must be weighted
 559 equally. As valid data becomes available, the school grades
 560 shall include the students' attainment of national industry
 561 certification identified in the Industry Certification Funding
 562 List pursuant to rules adopted by the state board.

563 3. Beginning with the 2009-2010 school year for schools
 564 comprised of high school grades 9, 10, 11, and 12, or grades 10,
 565 11, and 12, at least 50 percent of the school grade shall be
 566 based on a combination of the factors listed in sub-
 567 subparagraphs 1.a.-c. and the remaining percentage on the
 568 following factors:

- 569 a. The high school graduation rate of the school;
- 570 b. As valid data becomes available, the performance and
 571 participation of the school's students in College Board Advanced
 572 Placement courses, International Baccalaureate courses, dual
 573 enrollment courses, and Advanced International Certificate of
 574 Education courses; and the students' achievement of national
 575 industry certification identified in the Industry Certification
 576 Funding List, pursuant to rules adopted by the state board;
- 577 c. Postsecondary readiness of all of the school's on-time
 578 graduates as measured by the SAT, the ACT, the Postsecondary
 579 Education Readiness Test, or the common placement test;
- 580 d. The high school graduation rate of at-risk students,
 581 who are students scoring at Level 1 or Level 2 on grade 8 FCAT
 582 Reading and FCAT Mathematics;

583 e. As valid data becomes available, the performance of the
 584 school's students on statewide, standardized end-of-course
 585 assessments administered under s. 1008.22(3)(c)2.c. and d.; and

586 f. The growth or decline in the components listed in sub-
 587 subparagraphs a.-e. from year to year.

588 (c) Student assessment data used in determining school
 589 grades shall include:

590 1. The aggregate scores of all eligible students enrolled
 591 in the school who have been assessed on the FCAT and statewide,
 592 standardized end-of-course assessments in courses required for
 593 high school graduation, including, beginning with the 2011-2012
 594 school year, the end-of-course assessment in Algebra I; and
 595 beginning with the 2012-2013 school year, the end-of-course
 596 assessments in geometry and Biology I; and beginning with the
 597 2014-2015 school year, on the statewide, standardized end-of-
 598 course assessment in civics education at the middle school
 599 level.

600 2. The aggregate scores of all eligible students enrolled
 601 in the school who have been assessed on the FCAT and statewide,
 602 standardized end-of-course assessments as described in s.
 603 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
 604 percentile of students in the school in reading and mathematics,
 605 unless these students are exhibiting satisfactory performance.

606 3. The achievement scores and learning gains of eligible
 607 students attending alternative schools that provide dropout
 608 prevention and academic intervention services pursuant to s.
 609 1003.53. The term "eligible students" in this subparagraph does
 610 not include:

611 a. ~~S~~students attending an alternative school who are
 612 subject to district school board policies for expulsion for
 613 repeated or serious offenses, who are in dropout retrieval
 614 programs serving students who have officially been designated as
 615 dropouts, or who are in programs operated or contracted by the
 616 Department of Juvenile Justice.

617 b. Students attending an alternative school that is defined
 618 as an exceptional student education center pursuant to s.
 619 1008.341(2), who were not enrolled in or in attendance at a
 620 public school within the school district during the previous
 621 three years, other than an exceptional student education center.

622 The student performance data for eligible students
 623 identified in this subparagraph shall be included in the
 624 calculation of the home school's grade. As used in this
 625 subparagraph and s. 1008.341, the term "home school" means the
 626 school to which the student would be assigned if the student
 627 were not assigned to an alternative school. If an alternative
 628 school chooses to be graded under this section, student
 629 performance data for eligible students identified in this
 630 subparagraph shall not be included in the home school's grade
 631 but shall be included only in the calculation of the alternative
 632 school's grade. A school district that fails to assign the FCAT
 633 and statewide, standardized end-of-course assessment as
 634 described in s. 1008.22(3)(c)2.a. scores of each of its students
 635 to his or her home school or to the alternative school that
 636 receives a grade shall forfeit Florida School Recognition
 637 Program funds for 1 fiscal year. School districts must require
 638 collaboration between the home school and the alternative school

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639 | in order to promote student success. This collaboration must
640 | include an annual discussion between the principal of the
641 | alternative school and the principal of each student's home
642 | school concerning the most appropriate school assignment of the
643 | student.

644 | 4. The achievement scores and learning gains of students
645 | designated as hospital- or homebound. Student assessment data
646 | for students designated as hospital- or homebound shall be
647 | assigned to their home school for the purposes of school grades,
648 | if the student was enrolled in the home school during the
649 | October and February FTE count. As used in this subparagraph,
650 | the term "home school" means the school to which a student would
651 | be assigned if the student were not assigned to a hospital- or
652 | homebound program.

653 | 5. For schools comprised of high school grades 9, 10, 11,
654 | and 12, or grades 10, 11, and 12, the data listed in
655 | subparagraphs 1.-3. and the following data as the Department of
656 | Education determines such data are valid and available:

657 | a. The high school graduation rate of the school as
658 | calculated by the department;

659 | b. The participation rate of all eligible students
660 | enrolled in the school and enrolled in College Board Advanced
661 | Placement courses; International Baccalaureate courses; dual
662 | enrollment courses; Advanced International Certificate of
663 | Education courses; and courses or sequences of courses leading
664 | to national industry certification identified in the Industry
665 | Certification Funding List, pursuant to rules adopted by the
666 | State Board of Education;

667 c. The aggregate scores of all eligible students enrolled
 668 in the school in College Board Advanced Placement courses,
 669 International Baccalaureate courses, and Advanced International
 670 Certificate of Education courses;

671 d. Earning of college credit by all eligible students
 672 enrolled in the school in dual enrollment programs under s.
 673 1007.271;

674 e. Earning of a national industry certification identified
 675 in the Industry Certification Funding List, pursuant to rules
 676 adopted by the State Board of Education;

677 f. The aggregate scores of all eligible students enrolled
 678 in the school in reading, mathematics, and other subjects as
 679 measured by the SAT, the ACT, the Postsecondary Education
 680 Readiness Test, and the common placement test for postsecondary
 681 readiness;

682 g. The high school graduation rate of all eligible at-risk
 683 students enrolled in the school who scored at Level 2 or lower
 684 on grade 8 FCAT Reading and FCAT Mathematics;

685 h. The performance of the school's students on statewide,
 686 standardized end-of-course assessments administered under s.
 687 1008.22(3)(c)2.c. and d.; and

688 i. The growth or decline in the data components listed in
 689 sub-subparagraphs a.-h. from year to year.

690 The State Board of Education shall adopt appropriate criteria
 691 for each school grade. The criteria must also give added weight
 692 to student achievement in reading. Schools earning a grade of
 693 "C," making satisfactory progress, shall be required to
 694 demonstrate that adequate progress has been made by students in

695 | the school who are in the lowest 25th percentile in reading and
 696 | mathematics on the FCAT and end-of-course assessments as
 697 | described in s. 1008.22(3)(c)2.a., unless these students are
 698 | exhibiting satisfactory performance. For schools comprised of
 699 | high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
 700 | the criteria for school grades must also give added weight to
 701 | the graduation rate of all eligible at-risk students. In order
 702 | for a high school to earn a grade of "A," the school must
 703 | demonstrate that its at-risk students, as defined in this
 704 | paragraph, are making adequate progress.

705 | (45) SCHOOL IMPROVEMENT RATINGS.—The annual report shall
 706 | identify each school's performance as having improved, remained
 707 | the same, or declined. This school improvement rating shall be
 708 | based on a comparison of the current year's and previous year's
 709 | student and school performance data. A school that improves its
 710 | rating by at least one level is eligible for school recognition
 711 | awards pursuant to s. 1008.36.

712 | (56) SCHOOL REPORT CARD.—The Department of Education shall
 713 | annually develop, in collaboration with the school districts, a
 714 | school report card to be provided by the school district to
 715 | parents within the district. The report card shall include the
 716 | school's grade, information regarding school improvement, an
 717 | explanation of school performance as evaluated by the federal
 718 | Elementary and Secondary Education Act (ESEA), 20 U.S.C. ss.
 719 | 6301 et seq., and indicators of return on investment. Each
 720 | school's report card shall be published annually by the
 721 | department on its website.

722 | (67) PERFORMANCE-BASED FUNDING.—The Legislature may factor

723 in the performance of schools in calculating any performance-
 724 based funding policy that is provided for annually in the
 725 General Appropriations Act.

726 ~~(78)~~ DISTRICT GRADE.—The annual report required by
 727 subsection (1) shall include the school district's grade. A
 728 school district's grade shall be calculated using student
 729 performance and learning gains data on statewide assessments
 730 used for determining school grades under subparagraph (3)(b)1.
 731 for each eligible student enrolled for a full school year in the
 732 district. This calculation methodology captures each eligible
 733 student in the district who may have transferred among schools
 734 within the district or is enrolled in a school that does not
 735 receive a grade.

736 ~~(89)~~ RULES.—The State Board of Education shall adopt rules
 737 under ss. 120.536(1) and 120.54 to administer this section.

738 Section 7. Section 1008.341, Florida Statutes, is amended
 739 to read:

740 1008.341 School improvement rating for alternative
 741 schools.—

742 (1) ANNUAL REPORTS.—The Commissioner of Education shall
 743 prepare an annual report on the performance of each school
 744 receiving a school improvement rating pursuant to this section
 745 if the provisions of s. 1002.22 pertaining to student records
 746 apply. In addition, report cards required in 1008.34(6) shall
 747 include alternative schools and their school improvement
 748 ratings. If the alternative school serves at least 10 students
 749 who are tested on the statewide assessments pursuant to s.
 750 1008.22 in the current year and prior year, the alternative

751 school shall report to the parents of each student enrolled in
 752 the alternative school: learning gains, industry certification
 753 rate, college readiness rate, dropout rate, graduation rate, and
 754 the student's progress toward meeting high school graduation
 755 requirements. This paragraph does not abrogate the provisions of
 756 s. 1002.22, relating to student records, or the requirements of
 757 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy
 758 Act.

759 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a
 760 school that provides dropout prevention and academic
 761 intervention services pursuant to s. 1003.53. An alternative
 762 school shall receive a school improvement rating pursuant to
 763 this section unless the school earns a school grade pursuant to
 764 s. 1008.34. For accountability purposes, an exceptional student
 765 education center is an alternative school with its own unique
 766 master school identification number that serves students with
 767 disabilities, as defined in rule in accordance with s.
 768 1003.57(1)(d), for whom the individual education plan team
 769 determines that the school is the least restrictive environment
 770 based upon the student's need for specialized instruction and
 771 related services. The Department shall monitor district school
 772 boards regarding the placement of students with disabilities.
 773 However, beginning with the 2013-2014 school year, each ~~an~~
 774 alternative school that chooses to receive a school improvement
 775 rating shall ~~not~~ receive a school improvement rating if the
 776 number of its students for whom student performance data on
 777 statewide assessments pursuant to s. 1008.22 is available for
 778 the current year and previous year meets or exceeds ~~is less than~~

779 | the minimum sample size of ten necessary, ~~based on accepted~~
 780 | ~~professional practice, for statistical reliability and~~
 781 | ~~prevention of the unlawful release of personally identifiable~~
 782 | ~~student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~ The school
 783 | improvement rating shall identify an alternative school as
 784 | having one of the following ratings defined according to rules
 785 | of the State Board of Education:

786 | (a) "Improving" means the students attending the school
 787 | are making more academic progress than when the students were
 788 | served in their home schools.

789 | (b) "Maintaining" means the students attending the school
 790 | are making progress equivalent to the progress made when the
 791 | students were served in their home schools.

792 | (c) "Declining" means the students attending the school
 793 | are making less academic progress than when the students were
 794 | served in their home schools.

795 |
 796 | The school improvement rating shall be based on a comparison of
 797 | student performance data for the current year and previous year.
 798 | Schools that improve at least one level or maintain an
 799 | "improving" rating pursuant to this section are eligible for
 800 | school recognition awards pursuant to s. 1008.36.

801 | (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
 802 | used in determining an alternative school's school improvement
 803 | rating shall include:

804 | (a) The achievement aggregate ~~aggregate~~ scores on statewide
 805 | assessments, including retakes, administered under s. 1008.22
 806 | for all eligible students who were assigned to and enrolled in

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807 the school during the October or February FTE count and who have
808 FCAT or comparable scores for the preceding school year.

809 (b) The achievement ~~aggregate~~ scores on statewide
810 assessments, including retakes, administered under s. 1008.22
811 for all eligible students who were assigned to and enrolled in
812 the school during the October or February FTE count and who have
813 scored in the lowest 25th percentile of students in the state on
814 FCAT Reading.

815
816 The achievement ~~assessment~~ scores of students who are subject to
817 district school board policies for expulsion for repeated or
818 serious offenses, who are in dropout retrieval programs serving
819 students who have officially been designated as dropouts, or who
820 are in programs operated or contracted by the Department of
821 Juvenile Justice may not be included in an alternative school's
822 school improvement rating.

823 (c) An alternative school that tests at least 80 percent
824 of its students may receive a school improvement rating.
825 However, the alternative school may not earn a rating higher
826 than "Maintaining" if the school tests less than 90% of its
827 students.

828 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.—For each
829 alternative school receiving a school improvement rating, the
830 Department of Education shall annually identify the percentage
831 of students making learning gains as compared to the percentage
832 of the same students making learning gains in their home schools
833 in the year prior to being assigned to the alternative school.

834 ~~(5) SCHOOL REPORT CARD.—The Department of Education shall~~

835 ~~annually develop, in collaboration with the school districts, a~~
 836 ~~school report card for alternative schools to be delivered to~~
 837 ~~parents throughout each school district. The report card shall~~
 838 ~~include the school improvement rating, identification of student~~
 839 ~~learning gains, student attendance data, information regarding~~
 840 ~~school improvement, an explanation of school performance as~~
 841 ~~evaluated by the federal No Child Left Behind Act of 2001, and~~
 842 ~~indicators of return on investment.~~

843 (56) RULES.—The State Board of Education shall adopt rules
 844 under ss. 120.536(1) and 120.54 to administer this section.

845
 846 Section 8. Paragraph (a) of subsection (2) of section
 847 1008.385, Florida Statutes, is amended to read:

848 1008.385 Educational planning and information systems.—

849 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The
 850 Commissioner of Education shall develop and implement an
 851 integrated information system for educational management. The
 852 system must be designed to collect, via electronic transfer, all
 853 student and school performance data required to ascertain the
 854 degree to which schools and school districts are meeting state
 855 performance standards, and must be capable of producing data for
 856 a comprehensive annual report on school and district
 857 performance. In addition, the system shall support, as feasible,
 858 the management decisions to be made in each division of the
 859 department and at the individual school and district levels.
 860 Similar data elements among divisions and levels shall be
 861 compatible. The system shall be based on an overall conceptual
 862 design; the information needed for such decisions, including

863 | fiscal, student, program, personnel, facility, community,
 864 | evaluation, and other relevant data; and the relationship
 865 | between cost and effectiveness. The system shall be managed and
 866 | administered by the commissioner and shall include a district
 867 | subsystem component to be administered at the district level,
 868 | with input from the reports-and-forms control management
 869 | committees. Each district school system with a unique management
 870 | information system shall assure that compatibility exists
 871 | between its unique system and the district component of the
 872 | state system so that all data required as input to the state
 873 | system is made available via electronic transfer and in the
 874 | appropriate input format.

875 | (a) The specific responsibilities of the commissioner
 876 | shall include:

877 | 1. Consulting with school district representatives in the
 878 | development of the system design model and implementation plans
 879 | for the management information system for public school
 880 | education management;

881 | 2. Providing operational definitions for the proposed
 882 | system including criteria for issuing and revoking master school
 883 | identification numbers to support the maintenance of education
 884 | records, to enforce and support education accountability, and
 885 | support the distribution of funds to school districts and school
 886 | districts' financial reports, and assist the Commissioner of
 887 | Education in carrying out the duties set forth in ss. 1001.10
 888 | and 1001.11, F.S.;

889 | 3. Determining the information and specific data elements
 890 | required for the management decisions made at each educational

891 level, recognizing that the primary unit for information input
 892 is the individual school and recognizing that time and effort of
 893 instructional personnel expended in collection and compilation
 894 of data should be minimized;

895 4. Developing standardized terminology and procedures to
 896 be followed at all levels of the system;

897 5. Developing a standard transmittal format to be used for
 898 collection of data from the various levels of the system;

899 6. Developing appropriate computer programs to assure
 900 integration of the various information components dealing with
 901 students, personnel, facilities, fiscal, program, community, and
 902 evaluation data;

903 7. Developing the necessary programs to provide
 904 statistical analysis of the integrated data provided in
 905 subparagraph 6. in such a way that required reports may be
 906 disseminated, comparisons may be made, and relationships may be
 907 determined in order to provide the necessary information for
 908 making management decisions at all levels;

909 8. Developing output report formats which will provide
 910 district school systems with information for making management
 911 decisions at the various educational levels;

912 9. Developing a phased plan for distributing computer
 913 services equitably among all public schools and school districts
 914 in the state as rapidly as possible. The plan shall describe
 915 alternatives available to the state in providing such computing
 916 services and shall contain estimates of the cost of each
 917 alternative, together with a recommendation for action. In
 918 developing the plan, the feasibility of shared use of computing

919 hardware and software by school districts, Florida College
 920 System institutions, and universities shall be examined. Laws or
 921 administrative rules regulating procurement of data processing
 922 equipment, communication services, or data processing services
 923 by state agencies shall not be construed to apply to local
 924 agencies which share computing facilities with state agencies;

925 10. Assisting the district school systems in establishing
 926 their subsystem components and assuring compatibility with
 927 current district systems;

928 11. Establishing procedures for continuous evaluation of
 929 system efficiency and effectiveness;

930 12. Initiating a reports-management and forms-management
 931 system to ascertain that duplication in collection of data does
 932 not exist and that forms and reports for reporting under state
 933 and federal requirements and other forms and reports are
 934 prepared in a logical and uncomplicated format, resulting in a
 935 reduction in the number and complexity of required reports,
 936 particularly at the school level; and

937 13. Initiating such other actions as are necessary to
 938 carry out the intent of the Legislature that a management
 939 information system for public school management needs be
 940 implemented. Such other actions shall be based on criteria
 941 including, but not limited to:

- 942 a. The purpose of the reporting requirement;
- 943 b. The origination of the reporting requirement;
- 944 c. The date of origin of the reporting requirement; and
- 945 d. The date of repeal of the reporting requirement.

946 Section 9. This act shall take effect July 1, 2013.

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